

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

DWAYNE KESHUN TARPLEY,)	
)	
Plaintiff,)	Case No. 4:08CV00009
)	
v.)	ORDER
)	
VIRGINIA'S STATE GOVERNMENT, et al.,)	By: Jackson L. Kiser
)	Senior United States District Judge
Defendants.)	

Before me is Plaintiff Tarpley's *Motion for Summary Judgment* as to Defendant City of Danville. Also before me are Defendant City of Danville's *Motion to Dismiss* and Defendant Virginia State Government's *Motion to Vacate Default Judgment and Motion to Dismiss*. For the reasons given in the accompanying *Memorandum Opinion*, it is hereby **ORDERED** and **ADJUDGED** that:

1. Plaintiff's Motion for Summary Judgment is **DENIED**;
2. Defendant City of Danville's Motion to Dismiss is **GRANTED**; and
3. Defendant Virginia State Government's Motion to Vacate Default Judgment and Motion to Dismiss is **GRANTED**.

The Clerk is directed to send a copy of this *Order* and accompanying *Memorandum Opinion* to all counsel of record and *pro se* Plaintiff. The Clerk is also ordered to strike this case from the active docket of this court and dismiss all pending motions as moot.

Entered this 4th day of November, 2008.

s/Jackson L. Kiser
Senior United States District Judge